

GORDON GAO

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PRACTICE AREAS

DR. GAO SPECIALIZES IN INTELLECTUAL PROPERTY DISPUTES INVOLVING PATENTS, TRADE SECRETS, TRADEMARKS, COPYRIGHTS, PATENT RIGHT ABUSE, END-OF-PATENT-LIFE LITIGATION FOR PHARMACEUTICAL PRODUCTS, AND APPEALS TO THE PRC SUPREME COURT FOR THE ABOVE TYPES OF CASES.

Dr. Gao advises multinational technology companies on intellectual property protection and enforcement strategies, and has handled many famous cases, including more than 10 groups of cases (a total of over 80 cases) on appeal to the PRC Supreme Court.

In its special editions of “The World’s Leading Lawyers for Business” from 2007 to 2021, Chambers Global has consistently ranked Dr. Gao as a top IP lawyer in China.

REPRESENTATIVE MATTERS AND CASES

Patents

- Represented Astellas Inc. in litigation against several generic pharmaceutical companies for patent infringement
- Represented Watson Pharmaceutical Inc. in its patent infringement lawsuit against Ely Lilly before the Supreme People’s Court in which the Supreme Court reversed a judgment of RMB 151 million previously entered against Watson Pharmaceutical (selected as the first Supreme Court Model IP Case on International IP Day, April 26, 2014)
- Represented a leading mobile device company in more than 30 patent infringement cases in mainland China, Hong Kong and Taiwan relating to wireless communication technologies, mobile device construction and manufacturing technologies

- Represented Power Integration in Power Integration v. Fairchild Semiconductor in winning four patent infringement cases in some of the longest and most complex trials in China
- Advised Knowles in Knowles v. GoerTek on defending against a lawsuit involving local protection interference, included devising and implementing novel strategies to ultimately obtain a favorable settlement for the client

Trade secrets and unfair competition

- Advised INEOS in INEOS v. Sinopec on the largest trade secret case in Chinese history
- Advised New Balance on successfully reducing to RMB 5 million a record-breaking RMB 98 million first instance award to a trademark squatter in the unfair competition and trademark infringement dispute between New Balance and 新百伦, and currently advising on the Supreme Court review of the case with the goal of completely reversing the judgment on infringement issues

Trademark

- Represented Rolex against Beijing Cinet for its cybersquatting on Rolex's trademark rights (selected as one of the first Supreme Court Top Ten IP Cases)
- Advised NEC on obtaining injunctions and damages in its corporate identity case before Chinese courts against more than 50 Chinese, Taiwanese, Hong Kong and Japanese defendants
- Represented Tesla in canceling several squatted trademarks and obtaining a favorable settlement in a trademark case against a local trademark squatter
- Represented Michael Jordan against Qiaodan Sports in his successful claim to the Chinese character mark “乔丹” (selected as the second Supreme Court Model IP case on International IP Day, April 26, 2016)

Copyright

- Advised a leading mobile device company on more than 100 copyright infringement cases

Antimonopoly and FRAND cases

- Advised a leading mobile devices company on its FRAND and antitrust cases against Qualcomm
- Advised Meizu on its anti-trust and FRAND rate cases against Qualcomm

OTHER INFORMATION

Education

- Hastings Law School, University of California in San Francisco, J.D.
- Stanford University, Ph.D.
- Daqing Petroleum Institute, China, B.S.

Professional Qualification

- Admitted to practice in California
- Admitted to practice before the USPTO

Publications

- Intellectual Property Rights in China, Thomas Reuters, 2010, co-author
- Intellectual Property Enforcement Strategy in China, Butterworths Asia, 2000
- “The IPR Impact of China’s Anti-Monopoly Law: What more to expect?”
China Intellectual Property, December 2007
- “How to Bring A Criminal Action in China”, Managing Intellectual Property,
June 2005
- “IP Enforcement Under Chinese Criminal Law”, Asian Counsel, May 2005
- “Countering Unfair Competition in China (Japanese Language)”, Patent
Magazine, Vol. 5, 2005
- “The Art of Patent Litigation in China (Japanese Language)”, Patent
Magazine, Vol. 3, 2005
- “China's Secret Weapon in Passing Off Cases”, Managing Intellectual
Property, May 2004
- “Patent Litigation Tips for China, Managing Intellectual Property”, October
2003
- “How to Litigate in China”, Managing Intellectual Property, September 2003
- “New Evidence Rules for Chinese Courts”, Co-Author, IP Asia, 2002
- “China, the Battle for Domain Names”, Intellectual Property Quarterly, Issue
4, 2000

Professional Background

When he was a young patent attorney Dr. Gao was mentored by several well-known patent attorneys in the US, Hong Kong, and China, to whom Dr. Gao has been very grateful. Before joining Fangda, Dr. Gao headed the China IP practices of two major international law firms for over 10 years, where he advised clients on numerous well-known cases. In 2006, Dr. Gao and another Fangda partner, Dixon Zhang, together created the patent litigation group at Fangda, which has since grown into the strongest IP practice in China.